

111TH CONGRESS  
1ST SESSION

# H. R. 1499

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2009

Mr. PERLMUTTER introduced the following bill; which was referred to the Committee on Science and Technology

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## A BILL

To direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Firefighter Fatality  
5 Reduction Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) Each year in the United States, over 100  
2       firefighters die in the line of duty, while an addi-  
3       tional tens of thousands of firefighters are injured.

4           (2) The Federal Government has a vested inter-  
5       est in protecting firefighter health and safety, as it  
6       relies on local fire departments to efficiently and ef-  
7       fectively implement the National Response Frame-  
8       work in the response to major disasters.

9           (3) Adequate training, proper personal protec-  
10      tive equipment, safe staffing levels, safe operating  
11      procedures, and physical and mental fitness of fire-  
12      fighters can reduce avoidable firefighter fatalities.

13          (4) The fire services, in conjunction with Gov-  
14      ernment agencies and interested private-sector par-  
15      ties, has partnered with standards-making bodies to  
16      develop national voluntary consensus standards for  
17      safe fire department operations and fire fighting ca-  
18      pabilities.

19          (5) Such standards are widely respected and  
20      promoted by all facets of the fire service to better  
21      ensure firefighter health and safety.

22          (6) Through its Firefighter Fatality Investiga-  
23      tion and Prevention Program, the National Institute  
24      for Occupational Safety and Health has identified  
25      the failure to follow specific national voluntary con-

1       sensus standards as a contributing factor in many  
2       firefighter deaths.

3           (7) A comprehensive accounting of fire depart-  
4       ment compliance with national voluntary consensus  
5       standards would help policy makers seeking to en-  
6       hance public safety and reduce avoidable firefighter  
7       fatalities.

8       **SEC. 3. SURVEY BY THE DEPARTMENT OF HOMELAND SE-**  
9                               **CURITY.**

10       (a) SURVEY REQUIRED.—Not later than 120 days  
11   after enactment of this bill, the Secretary of Homeland  
12   Security, in consultation with the Task Force established  
13   under section 4, shall begin to conduct a survey of each  
14   career, volunteer, and combination fire department located  
15   in the United States in order to ascertain whether each  
16   such fire department is in compliance with national vol-  
17   untary consensus standards. In carrying out the survey,  
18   the Secretary shall ascertain the rates of such compliance  
19   of—

20           (1) paid, volunteer, and combination fire de-  
21       partments;

22           (2) fire departments located in communities of  
23       varying sizes; and

24           (3) fire departments in each of the States and  
25       territories.

1 (b) CONTENTS OF SURVEY.—The survey required  
2 under subsection (a) shall ascertain, for each fire depart-  
3 ment in the United States, compliance with national vol-  
4 untary consensus standards for staffing, training, safe op-  
5 erations, personal protective equipment, and fitness.

6 (c) REPORT.—Not later than two years after the date  
7 of enactment of this Act, the Secretary shall submit to  
8 Congress a report on the findings of the survey required  
9 under subsection (a), including the rates of compliance  
10 under the categories specified under paragraphs (1), (2),  
11 and (3) of that subsection.

12 **SEC. 4. ESTABLISHMENT OF TASK FORCE TO ENHANCE**  
13 **FIREFIGHTER SAFETY.**

14 (a) ESTABLISHMENT.—Not later than 60 days after  
15 the date of the enactment of this Act, the Secretary shall  
16 establish a task force to be known as the “Task Force  
17 to Enhance Firefighter Safety” (hereinafter in this section  
18 referred to as the “Task Force”).

19 (b) MEMBERSHIP.—

20 (1) IN GENERAL.—Members of the Task Force  
21 shall be appointed by the Secretary from among the  
22 general public and shall include—

23 (A) representatives of national organiza-  
24 tions representing firefighters and fire chiefs;

(B) individuals representing standards-setting and accrediting organizations, including representatives from the voluntary consensus codes and standards development community; and

(C) other individuals as the Secretary determines to be appropriate.

(2) REPRESENTATIVES OF OTHER DEPARTMENTS AND AGENCIES.—The Secretary may invite representatives of other departments and agencies of the United States that have an interest in the fire service to participate in the meetings and other activities of the Task Force.

(3) NUMBER; TERMS OF SERVICE; PAY AND ALLOWANCES.—The Secretary shall determine the number, terms of service, and pay and allowances of members of the Task Force appointed by the Secretary, except that a term of service of any such member may not exceed two years.

(c) RESPONSIBILITIES.—The Task Force shall—

(1) consult with the Secretary to conduct the survey required under section 3; and

(2) develop a plan to enhance firefighter safety by increasing fire department compliance with national voluntary consensus standards for staffing,

1 training, safe operations, personal protective equip-  
2 ment, and fitness, including by—

3 (A) reviewing and evaluating the report re-  
4 quired under section 3 to determine the extent  
5 of and barriers to achieving compliance with na-  
6 tional voluntary consensus standards among  
7 fire departments; and

8 (B) considering ways in which the Federal  
9 Government, States, and localities can promote,  
10 encourage, or require fire departments to com-  
11 ply with national voluntary consensus stand-  
12 ards.

13 (d) REPORT TO CONGRESS.—Not later than 6  
14 months after the date on which the Secretary submits the  
15 report required under section 3(c), the Task Force shall  
16 submit to Congress and the Secretary a report containing  
17 the findings and recommendations of the Task Force to-  
18 gether with the plan described in subsection (c)(2).

19 **SEC. 5. NATIONAL VOLUNTARY CONSENSUS STANDARDS**  
20 **DEFINED.**

21 For the purposes of this Act, the term “national vol-  
22 untary consensus standards” means the latest edition of  
23 the national voluntary consensus standards for fire fighter  
24 and fire department staffing, training, safe operations,

- 1 personal protective equipment, and fitness available on the
- 2 date of the enactment of this Act.

